

FILED

FOR PUBLICATION

AUG 05 2010

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

MOHIT NARAYAN; HANNA RAHAWI;  
and THOMAS HEATH,

Plaintiffs - Appellants,

v.

EGL, INC., a Texas corporation; EAGLE  
FREIGHT SYSTEMS, INC.; and Does 1-  
10,

Defendants - Appellees.

No. 07-16487

D.C. No. CV-05-04181-RMW  
Northern District of California,  
San Jose

ORDER

Before: HAWKINS and THOMAS, Circuit Judges, and KORMAN, Senior  
District Judge. \*

Appellees' Petition for Panel Rehearing is granted for the limited purpose of  
amending the Opinion, without further oral argument.

The Opinion filed July 13, 2010, slip op. 10069, is amended as follows:

On page 10084, line 20: <This is not all.> is deleted.

On page 10085, second indented paragraph, first sentence: <The fact that the  
Drivers here had contracts "expressly acknowledging that they were independent

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\* The Honorable Edward R. Korman, Senior United States District Judge for  
the Eastern District of New York, sitting by designation.

contractors” is simply not significant under California's test of employment. > is replaced with <That the Drivers here had contracts “expressly acknowledging that they were independent contractors” is simply not dispositive under California's test of employment.>.

No subsequent petitions for rehearing and rehearing en banc may be filed.